



#RCE 26w

PTO/SB/30 (09-03)

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Request for Continued Examination (RCE) Transmittal

Address to:
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/052,746
Filing Date	January 18, 2002
First Named Inventor	Lobovsky
Art Unit	1771
Examiner Name	Elizabeth M. Cole
Attorney Docket Number	050-00-007

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☐ Deposit Account No. _____
- i. ☐ RCE fee required under 37 CFR 1.17(e) 08/31/2004 MBIZUNES 00000076 10052746
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 770.00 0P
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 880.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Michael A. Shimokaji	Registration No. (Attorney/Agent)	32,303
Signature		Date	8/26/04

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Michael A. Shimokaji	Date	8/26/04
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT
050-00-007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lobovsky et al. : Confirmation No.: 3263
Serial No. 10/052,746 : Group Art Unit: 1771
Filed: January 18, 2002 : Examiner: Elizabeth M. Cole

For: NON-WOVEN SHAPED FIBER
WITH EXPANDED POLYMER MICROSPHERES

Commissioner for Patents
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PRELIMINARY AMENDMENT

Sir:

In addition to the Request for Continued Examination in compliance with 37 CFR 1.114 filed herewith, and in response to the Advisory Action dated as mailed on July 7, 2004, and having a period of response extending through and including July 28, 2004, please make the below-identified amendments and consider the following remarks. A petition for Extension of Time under 37 CFR 1.136(a) is filed herewith.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 14 of this paper.

08/31/2004 MBIZUNES 00000076 10052746

02 FC:1202
03 FC:1201

342.00 OP
172.00 OP